

Selling Out:

How powerful industries
corrupt our democracy



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Acknowledgement of Country

The authors acknowledge the Traditional Owners of Country throughout Australia and recognise their continuing connection to land, waters, and culture. We pay respect to elders and acknowledge the Traditional Owners who have cared for Country since time immemorial. Sovereignty over this land was never ceded – it always was, and always will be, Aboriginal land.

Disclaimer

This report does not suggest any illegal conduct on the part of any of the individuals or corporations named. It does however reveal that, at a systemic level, our government is captured by harmful industries.

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Thanks

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And many thanks to Kylie Lindorff and Melissa Jones at Cancer Council NSW; Michelle Scollo and Beth Greenhalgh at Cancer Council Victoria; and Suzanne Zhou at the McCabe Centre for Law & Cancer; Alliance for Gambling Reform and Jolene Elberth at the Australian Conservation Foundation for their expert feedback.

Cover image: Mick Tsikas, AAP

Introduction: Australian politics is serious business

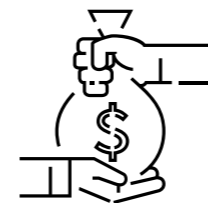


Australia is lagging well behind almost all other advanced democracies when it comes to regulating corporate influence over our politicians. What is considered illegal and corrupt influence overseas is business as usual in Canberra.

This report showcases how three big industries – fossil fuels, gambling and tobacco – are capitalising on Australia's weak integrity laws and distorting our democratic processes to put their profits ahead of our wellbeing. It focuses on three key levers these industries use to influence our politicians – contributing financially to political parties, lobbying them and running public attack campaigns in elections.

Financial contributions

Australian laws permit big industries to contribute millions to the major political parties' election campaigns. These donations act as an insurance policy against strong regulation, because politicians are naturally resistant to upsetting industries that fund their election campaigns.



Political lobbying

As well as favourable treatment, these donations buy big corporations access to politicians that ordinary people would never get. And by hiring ex-politicians and advisors, they're able to build strong connections to power.



Public attack campaigns

When these levers of influence fail to discourage politicians from taking a stand against harmful industry practises, these industries unleash their vast wealth against the politicians in punishing multi-million dollar attack campaigns.





Image Credit: First Class 3D

The political control these industries wield prevents our leaders from introducing stronger regulation to protect us from their harmful practises. This report details the very real personal cost of this form of legalised corruption, in lives destroyed by addiction and whole communities lost to climate-change induced natural disasters.

● Left unchecked, this cycle will get worse. Economic and political power reinforce each other in a feedback loop: businesses use economic power to accumulate political power, and then use their political power to capture even more economic power.¹

But it doesn't have to be this way. This report outlines clear solutions that federal Parliament could pass tomorrow to stop the cycle of corporate influence in our politics. They come from the Framework for a Fair Democracy, a blueprint setting out 11 reforms to make our democracy healthier, informed by international best practice and the country's best integrity experts. So far 12,000 people have joined the #OurDemocracy campaign to make this Framework a reality. To join this nationwide movement to demand Parliament raise the bar of integrity in Australian politics, sign the petition at ourdemocracy.com.au.

By global standards, Australia has a reasonably strong and stable democracy. There is much Australians can be proud of. But the health of our democracy is being seriously undermined by the weak integrity laws that govern corruption, political donations, lobbying and election spending.

Framework for a Fair Democracy

The Framework for a Fair Democracy sets out 11 reforms that are needed to:

- 1 Stamp out corruption.
- 2 End the cycle of cash for access.
- 3 Level the playing field in election debates.

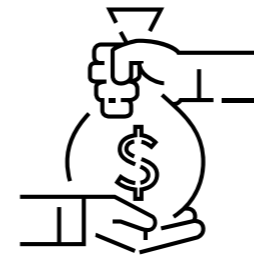
This report focuses on a subset of those 11 reforms, being laws to:

- i. Require timely public disclosure of all financial contributions over \$2,500 to politicians.
- ii. Ban big, corrupting donations to politicians altogether.
- iii. Institute a strong federal integrity commission with broad jurisdiction and the power to hold public hearings.
- iv. Require all professional lobbyists to register and disclose their meetings with politicians and advisers and require ministers to publish their diaries.
- v. Introduce an enforceable, three year cooling off period for ministers and their staff when they retire from public office.
- vi. Cap spending in elections for all entities that campaign in elections.



Clive Palmer donated \$84 million to his own party, the United Australia Party, ahead of the 2019 federal election.

Image credit: Mick Tsikas, AAP.



The levers of political influence – Financial contributions to political parties

Many companies claim that the millions they contribute to politicians' coffers are merely an act of goodwill to "support the democratic process",² but the transaction is far from philanthropic. Big industries bankroll the major political parties' election campaigns in exchange for access, close relationships and favourable treatment.

This last kind of influence is illegal and may be rare, although in the absence of a Commonwealth anti-corruption commission, we cannot know how rare.

But our system of political finance makes the first two forms of influence inevitable and commonplace.

Election campaigns are consistently becoming more expensive, which increases the pressure on politicians to keep big donors happy. Spending more money than your opponents doesn't guarantee you will win the election, but it helps. As the Grattan Institute noted, in the four out of the five last elections, the political party that spent the most has won.⁴

Access

at the very least, a sizeable donation can ensure the donor gets meetings with a politician that ordinary Australians wouldn't.

Clientelism

in what the High Court has described as a "subtle kind of corruption", politicians decide issues not according to the public interest or the wishes of their constituents, but according to the wishes of the donor.³

Corruption

a quid pro quo exchange where politicians explicitly make promises in exchange for political donations.

The secret billion dollars in our political system

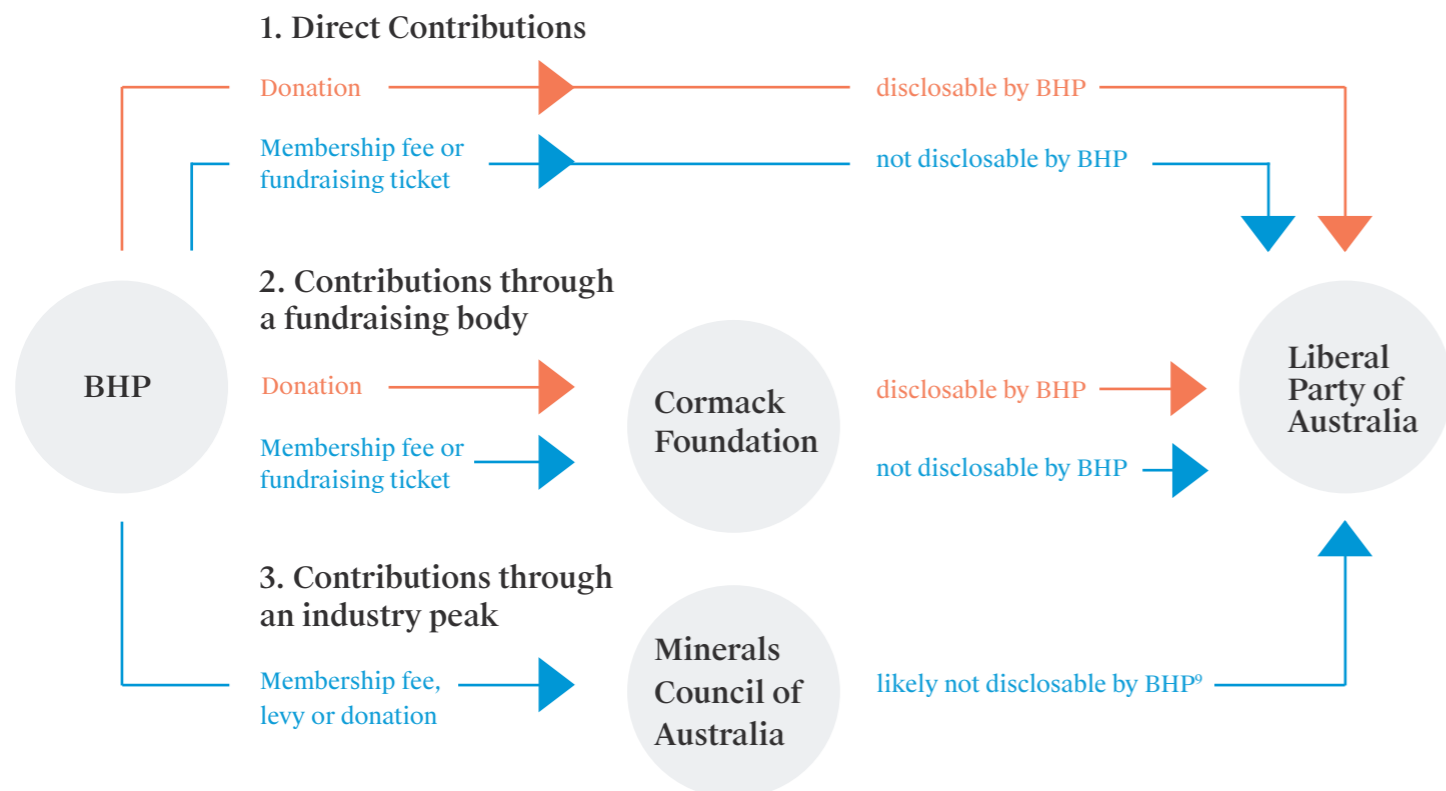
Our federal disclosure laws are so full of holes that we only know a fraction of the total financial contributions big industries are making to our elected representatives. Research by the Centre for Public Integrity revealed that almost \$1.5 billion dollars in secret contributions has flowed to federal political parties since FY1999.⁵

The regime set up by the *Commonwealth Electoral Act 1918 (Cth) (Act)* requires donors to disclose donations of over \$14,500 per year,⁶ but the term “donation” is narrowly defined to exclude tickets to fundraising events with politicians and membership fees to the major parties’ business forums, which can run into the hundreds of thousands. These contributions pose the same corruption risk as donations, but because they don’t have to be disclosed by the donors, they are much harder to scrutinise.⁷

In addition many donors do not give directly to political parties but via their funding arms, known as “associated entities”. Alternatively they give to industry peaks which go on to contribute to a political party. This practice makes the paper trail much harder to follow and the political influence harder to uncover.

Federal candidates, political parties and donors are required to disclose their income and donations only once a year. Disclosure by candidates and political parties is made to the Australian Electoral Commission (AEC) in October of each year, and published on the AEC’s website in February of the following year. This time-line means that up to 19 months can elapse between receipt of a donation and its being made public.

How money flows⁸



The more harm an industry causes, the more political power it is likely to have

Research by the Grattan Institute details a perverse feedback loop between particularly harmful industries and political influence. Industries that have more potential to inflict harm on our communities and planet are more highly regulated. This means that the laws concerning them are more technical and complex, and profit margins stand to be more impacted by technical changes to laws.¹⁰ Complex laws are harder for journalists to report on and for the public to understand, leaving more opportunity to the harmful industries to influence outcomes.

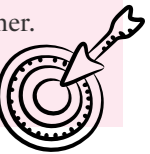
What we can do about it

The laws that govern donations to federal politicians are the weakest in the country. In every single state donations of just a couple of thousand dollars need to be disclosed regularly, and in Queensland, Victoria and NSW, large donations to political parties (over \$6,000) are prohibited altogether.

Reforms we need

The Australian Parliament should pass laws:

- 1** requiring timely public disclosure of all financial contributions over \$2,500 to politicians; and
- 2** banning big, corrupting financial contributions to politicians altogether.





Christopher Pyne and Julie Bishop both came under fire for taking roles in industries within their Ministerial portfolios just months after leaving politics.*

Image credit: Mick Tsikas, AAP.



The levers of political influence – Lobbying

Secret meetings

Lobbying is the act of communicating with a public official to influence their decision-making.¹¹ Lobbying is not only legitimate, it is essential to the proper functioning of a democracy. Constituents are entitled to be heard by their elected representatives and consultation leads to better decisions.

The problem in our politics is not lobbying itself. The problem is that our system of lobbying is a highly uneven playing field where the odds are stacked against the interests of ordinary people and communities. The reality

is that lobbying in Canberra is a highly professionalised, lucrative multi-billion dollar a year business¹² dominated by big industry. This is leading to significant inequity. If the halls of Parliament are saturated by industry lobbyists and not counterbalanced by community voices, politicians' views will be skewed to favour industry.¹³ And because the meetings happen in secret, the extent of the influence and potential corruption isn't exposed. This status quo is worsened by the absence of a sufficiently empowered federal integrity commission.

The revolving door

Companies that employ former government officials are more successful at getting meetings with government representatives, and are more likely to get a sympathetic audience.¹⁴ It follows that, according to preliminary research by the ANU, 56% of registered lobbyists were formerly government representatives.¹⁵ It's also not uncommon for lobbyists to take leave to work on the political campaign of particular MPs, and once they're in government, return to lobbying them.¹⁶

Cross-employment between public and private sectors is not necessarily bad – the perspectives of each can assist

the other. But without transparency and adequate regulation, movement between public office and in particular harmful industries, raises serious questions of trust: how can the public be confident that politicians are being driven by the best interests of their constituents, not those of their former or future employer?

Further, the revolving door has created its own elite class of the politically powerful and the incredibly rich. Over time, our Parliament has become less representative and further removed from the values and interests of voters.

What we can do about it

The federal register of lobbyists provides the public with virtually no useful information. The scheme only requires independent lobbying firms to register, leaving out the approximately 80% of lobbyists who work in-house for corporations.¹⁷ The minority that do register have to disclose their clients, but not who they're meeting with, how often, or the decisions they're trying to influence.

In Canada, Ireland and Scotland, in-house and external lobbyists alike must register and disclose the details of their meetings. In Queensland, NSW and the ACT, additional transparency is provided by laws that require ministers to publish their diaries. This can and should be done at the federal level.

The existing "cooling off" period for ministers, which prohibits them

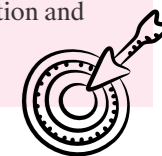
from lobbying on matters within their portfolio for 18 months, also needs to be strengthened. It is currently overseen by the prime minister and as a result is weakly enforced, and breaches attract no real punishment.¹⁸ In Canada, public office holders are prohibited from lobbying for five years,¹⁹ it is overseen by an independent commissioner and breaches can lead to fines, damages, termination or a reduction in a government pension.²⁰

Finally, Australia needs a federal integrity commission with broad jurisdiction to investigate relationships that pose a risk of undue influence or corruption. The Australian public has been waiting three years for the Morrison government to make good on its promise to introduce one, and the draft model it released is regarded so weak that it is more likely to hide corruption than expose it.²¹

Reforms we need

The Australian Parliament should shine a light on lobbying and corruption by passing laws that:

- 1** require all professional lobbyists to register and disclose their meetings with politicians and advisers and require ministers to publish their diaries;
- 2** introduce an enforceable, three year cooling off period for ministers and their staff; and
- 3** institute a strong federal integrity commission with broad jurisdiction and the power to hold public hearings.



In the lead up to the 2019 federal election Clive Palmer spent millions on ads, which frequently included false claims about Labor, in order to “polarise the electorate”.

**BILL SHORTEN WILL
HIT US WITH AN EXTRA
TRILLION DOLLARS OF
TAXES & COSTS**



**TELL SHIFTY HE'S
DREAMING!**

Authorised by Clive Palmer for the United Australia Party, Brisbane

PUT AUSTRALIA FIRST. VOTE UNITED AUSTRALIA PARTY



The levers of political influence – Public attack campaigns

The tobacco, gambling and fossil fuel industries often campaign to achieve favourable political outcomes for themselves. They spend millions on public attack-ad campaigns to try and punish governments that attempt to regulate them in a way they don't like.

Under Prime Ministers Kevin Rudd and Julia Gillard, federal Labor experienced a series of bruising public campaigns between 2008 and 2013 from each of the fossil fuels, gambling and tobacco

industries. All but one of the campaigns – resisting plain packaging laws for cigarettes – successfully stopped the reforms or saw them quickly repealed.

Investments in big corporate attack campaigns continue to influence politicians long after the campaign is over. The mere knowledge that an industry has capacity to launch a multi-million dollar marginal seats campaign can be enough to deter politicians from pursuing industry regulation.

Front groups

None of the big brands associated with fossil fuels, gambling or tobacco are especially trusted by the public to advocate in the best interests of our communities and planet, so direct corporate campaigning on political issues is relatively rare. When a campaign is needed, industries typically “astro-turf”

– that is, fund front groups to try and create the appearance of a grassroots campaign made up of consumers, workers, small retailers, pub owners and so on. Alternatively they fund peak organisations that keep their brands at arm's length, or advocacy groups that can obscure their financial contributions.

What we can do about it

Big industries shouldn't be able to use their virtually unlimited resources to fund front groups to run punishing attack-campaigns on their behalf.

Having stronger disclosure laws for contributions to third party front groups would help the public to distinguish between genuine grassroots groups and corporate astroturfing. But most importantly, if our electoral laws limited how much could be spent in elections, which is when candidates and political parties are most susceptible to being influenced by corporate campaigns, then we would mitigate their distorting influence when public debate matters most.

If political party spending was also capped, the unfair advantage that industry-friendly political parties have in the form of huge corporate donations would be largely neutralised. Election debates would occur on a more level playing field, and those with the best ideas, not the biggest bank balance, would have greater chance of success.

Two-thirds of European countries limit the amount a candidate can spend on an election campaign²² and overseas jurisdictions most similar to Australia – the United Kingdom, Canada and New Zealand – all cap election spending. The federal Government is also lagging behind Australian states and territories: Queensland, New South Wales, the ACT and Tasmania's upper house all have election spending caps.

Reforms we need

The Australian Parliament should pass laws to introduce caps on spending by candidates, political parties and entities that campaign in elections, to even the playing field in election debates.



Who'll be hurt by the 'Super Tax' on mining?

Everyone.

WEAKEN MINING AND YOU WEAKEN AUSTRALIA. Already billions of dollars of investment is on hold, and the superannuation funds of millions of Australians have dropped. Thousands of jobs put at risk, and the well-being of communities all over Australia threatened. You really have to wonder if the Government has thought this through. Because who will really be hit by this 'Super Tax'? Everyone.

Minerals Council of Australia

keepminingstrong.com.au

Source: The Australia and New Zealand School of Government

Fossil fuels and mining



Image Credit: Chris LeBoutillier

The real cost of doing business

To avoid the most catastrophic climate change scenarios, 196 nations signed the 2015 Paris Agreement, pledging to reduce emissions to keep the global temperature rise to between just 1.5 and 2 degrees Celsius above pre-industrial levels. To achieve this, national governments globally must reach net zero greenhouse gas emissions by 2050, which means keeping fossil fuels – coal, oil and natural gas – in the ground.²³

The 2021 assessment report of the United Nations' Intergovernmental Panel on Climate Change (IPCC) predicts that the planet is just 10 years from heating by more than 1.5 degrees Celsius. To quote UN Secretary-General Antonio Guterres:

“Greenhouse gas emissions from fossil fuel burning and deforestation are choking our planet and putting billions of people at immediate risk... This report must sound a death knell for coal and fossil fuels, before they destroy our planet.”²⁴

In response to the report, UK Prime Minister Boris Johnson stated “We know what must be done to limit global warming – consign coal to history and shift to clean energy sources”.²⁵ US Secretary of State Antony Blinken said the country was “marshalling the entire federal government to tackle the climate crisis”. Australian Resources Minister Keith Pitt, on the other hand, dismissed the report and confirmed the future of Australian coal “well beyond 2030”, adding that “the Coalition Government stands with our resources sector, including the coal industry”.²⁶

Australia is the worst performing country in the world with respect to taking action to reduce global greenhouse gas emissions.²⁷ We are also one of the highest per capita CO2 emitters in the world. In 2020, we were the second largest coal exporter, and the largest liquefied natural gas (LNG) exporter.²⁸ These exports mean our carbon footprint, on a per capita basis, surpasses China by a factor of 9, the US by a factor of 4 and India by a factor of 37.²⁹



Australia's carbon footprint, per capita, is:

37x larger than India

9x larger than China

4x larger than the US

The Morrison Government's flagship economic policy following the pandemic was a “gas-fired recovery”, a commitment to new gas-fired power plants built with taxpayer subsidies to the tune of between \$500 million and \$900 million.³⁰ The plan has been resoundingly criticised for its implications for climate change,³¹ and according to analysis by The Australia Institute, if creating jobs were the objective then “supporting virtually any other industry would be more effective”.³²

At the 2021 UN Climate Change Conference of the Parties (**COP26**) in December, Morrison announced Australia had a target of net zero emissions by 2050. The plan was not premised on detailed modelling, and relies on technology that does not yet exist³³ and voluntary commitments by businesses and households.³⁴ Internationally it was regarded as an abject failure, described variously as a “great disappointment”³⁵ and “irresponsible and suicidal”.³⁶

By failing to take the climate crisis seriously, the Morrison government is ignoring not just future global calamity, but untold suffering in our home country. Australia is among the most vulnerable high-income countries to climate change.³⁷ Despite the Paris Agreement, existing pledges by national governments will see global temperatures rise by almost 3 degrees Celsius from pre-industrial levels by 2100.³⁸ At this level, droughts and floods in Australia are expected to significantly impact food security,³⁹ we're projected to lose 40% of our beaches,⁴⁰ and bushfires on the catastrophic scale of Black Summer could happen almost every year.⁴¹

Fiona's story

Warrawillah is a small place on NSW's midcoast, a tight-knit community on recovering farm land. I lived there with my partner Aaron and my two year old daughter in a colourful off-grid house we'd built ourselves. We'd just finished my daughter's room – it was purple, and she loved it.

The months before the fires came was full-on drought. It was brutal. The earth was dusty and crispy, and animals had been coming up close to the house in search of water. Fires had been burning to the northwest of us for some time in the national park, and we were keeping an eye on the Fires Near Me emergency app.

On November 8, the day we lost our home, the wind speeds were high and the fire came so quickly that it just sliced up the landscape. We were on a hill and could see it coming - it was so much closer than the emergency app said. I called Aaron's parents and told them we were evacuating. I think everyone thought "Fiona's a little anxious bunny", but it all went a couple of hours later.

It was incredibly surreal, we didn't know what to do with ourselves once we'd evacuated. I was drinking beers with my friend, stressing out listening to the emergency services app, listening to whose houses they were defending, whose they'd lost and whose they've saved.

It's mundane and tragic at the same time. You're sitting down, drinking a beer, waiting to hear if your house has burned down.

I grew up in the bush around there and always felt safe, but it took me a long time to go back to that area. I felt so unsafe and frightened.

We've since bought a place half an hour from Warrawillah and started again from scratch. The new house is going to have metal cladding and be fully insulated to protect us from extreme heat and cold. It's essentially a bunker. We were trying to prepare for climate change with the last property, but I guess we thought we had more time.



● “We’re having to adapt to climate change now to protect our family and it’s terrifying, it’s really bad.”

It's been a huge cost to us, and when I think about the enormous profits the fossil fuel companies are making at the expense of the rest of us, it sickens me. Australia is behind on climate action because politicians are in the pockets of fossil fuel companies, taking donations, and therefore don't want to put policies in place which will cost the fossil fuel companies money.

Fossil fuel companies not only should reduce their emissions, but pay for the cost of the damage they're causing. But their political power means it's people like myself who have to shoulder the cost of the impacts of climate change.

After losing our home I began looking for a climate action group of bushfire survivors, and found Bushfire Survivors for Climate. They're a bunch of people exactly like myself with first hand experience of fire and climate change, desperate for action to address the root cause of the fires. We amplify the voices of bushfire survivors and bring a face to the climate crisis. The solidarity within this group is incredible. We do this work so we don't lose hope because we know action is the antidote to despair.

Image Credit: Stuart Marlin



According to the largest poll ever held on climate change in Australia, support for stronger government action to stop runaway climate change is consistent across every single state and territory, and the concern is held by both regional and metropolitan voters.⁴⁵ Voters in every federal seat support increased action on climate change and the adoption of renewable technology over the government's plan for a gas-led recovery.⁴⁶

So why is the Morrison government so determined to support the fossil fuel industry, ignoring the reams of evidence of the harm it will cause to our communities and irrespective of voter support for stronger climate action?

Image Credit: Kiran Ridley, Greenpeace.

The climate catastrophe

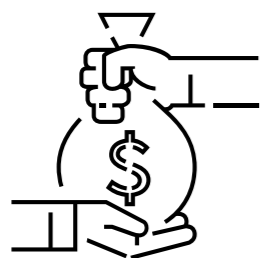
The climate catastrophe will not impact everyone in Australia equally. Aboriginal and Torres Strait Islander peoples living in remote communities are not only more exposed to extreme weather events and temperature changes, they risk losing connection to Country and culture as the natural environment deteriorates.

In the Torres Strait Islands, infrastructure, homes and sacred sites are already being washed away.⁴² In the Northern Territory, the Central Land Council has observed that unprecedented heat waves, reduced rainfall, species loss and ecosystem damage are already threatening lives and livelihoods.⁴³ As described by executive member Michael Liddle:⁴⁴

● “Our overcrowded hotbox houses are becoming less habitable every year and a falling water table and reduced rainfall are threatening our drinking water and the plants and animals we depend on.”



Image Credit: Kiran Ridley, Greenpeace



Fossil fuels' financial contributions to political parties

The financial contributions made directly to political parties

The fossil fuel and mining industry is one of the biggest financial contributors to Australian politicians. Between 1999 and the last election in 2019, the industry disclosed \$15.2 million in contributions to the Coalition and \$4.9 million to Labor.⁴⁷ The real figure when taking account of non-disclosed contributions, is likely to be much higher.

Research by the Australian Conservation Foundation revealed that gas industry players were some of the biggest political donors in FY2020, when the gas-fired recovery was announced.⁴⁸

Analysis of the company and political parties' election returns shows that the biggest polluters are responsible for a large portion of the total industry's financial contributions to the major political parties.

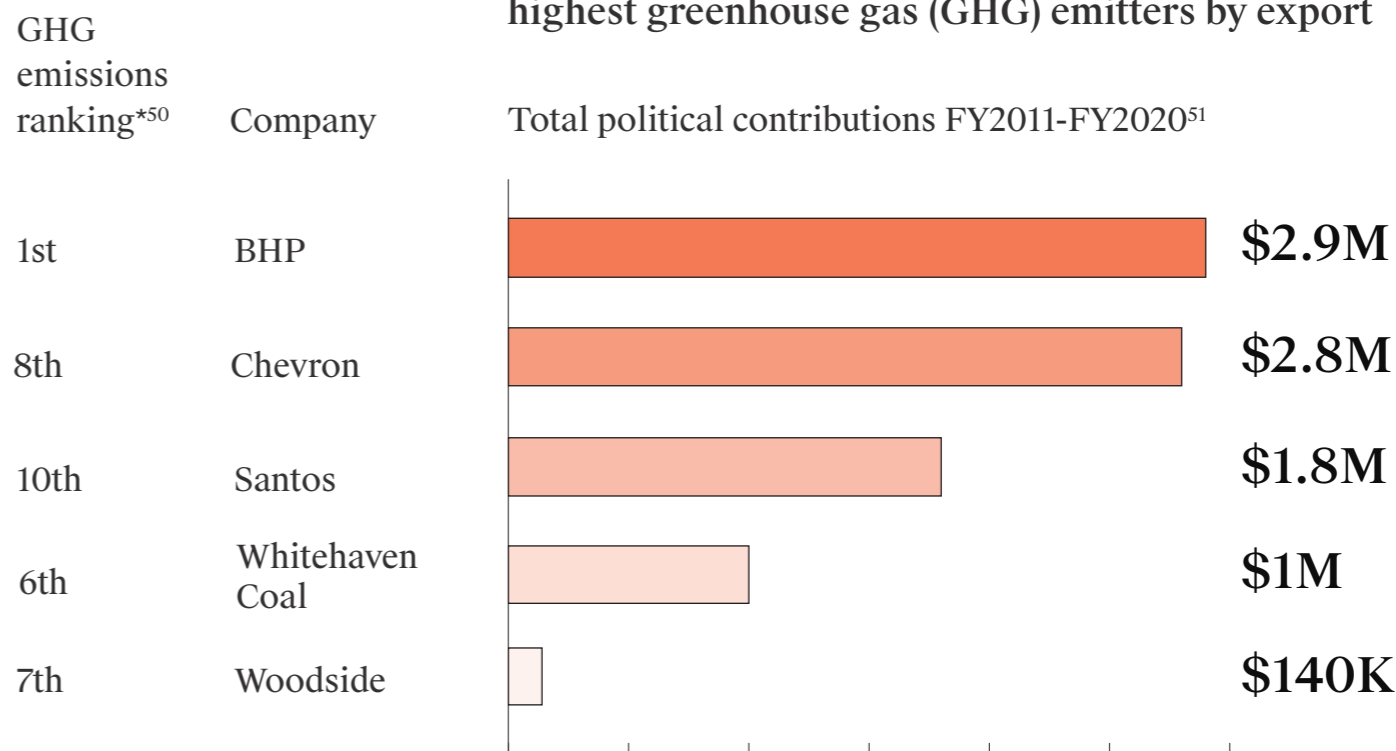
Excluding Clive Palmer's eye-watering \$84 million donation to his own political

party in 2019 (more on this below), three of the four biggest mining industry contributors are all major coal, oil and gas producers and among Australia's top ten biggest greenhouse gas emitters: BHP, Woodside and Santos. Iron ore mining giant Rio Tinto, which contributed \$2.5 million to the Liberal Party, divested from coal in 2018 and is no longer among the top 10 polluters.

The majority of Santos' and Woodside's donations disclosures were made voluntarily. Neither BHP nor Rio Tinto disclosed any donations over this period, despite giving millions to the Liberal Party's fundraising body the Cormack Foundation.⁴⁹

Of the top ten greenhouse gas emitters, calculated to include emissions produced overseas from the fossil fuels extracted in Australia, five have made huge contributions to the major political parties over the last ten years:

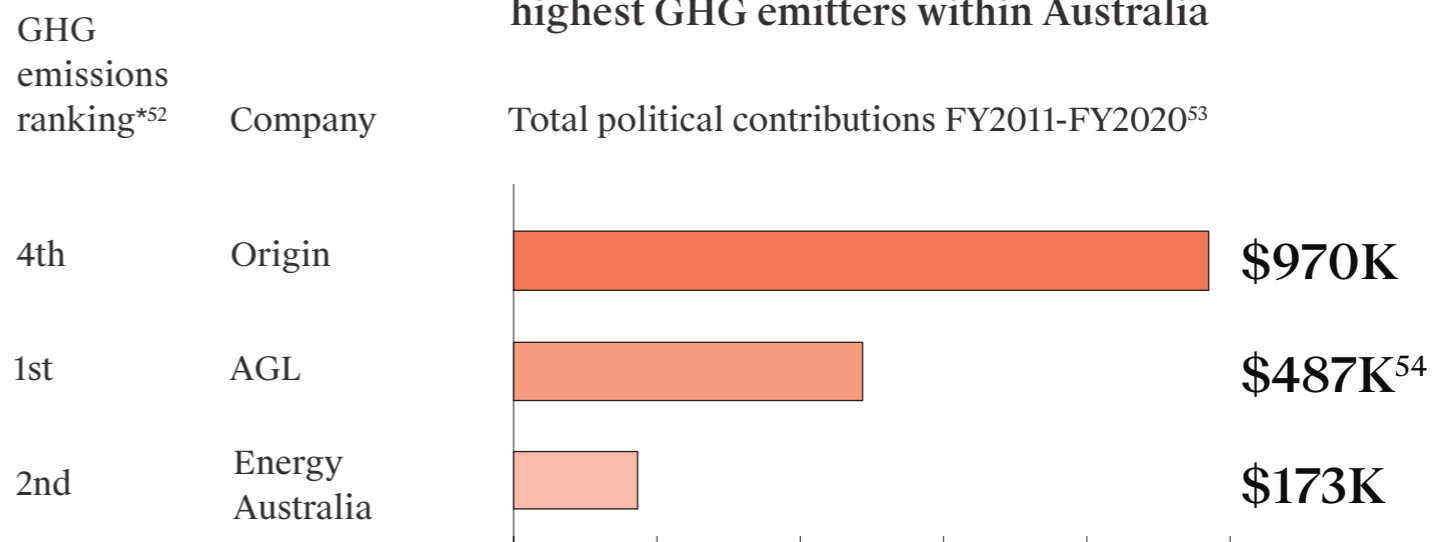
Fossil fuel donations at a glance - contributions by the highest greenhouse gas (GHG) emitters by export



*2018 ranking in GHG emissions from Australian operations, including from fossil fuels burnt overseas

Similarly the energy companies responsible for emitting the most greenhouse gas within Australia's borders give big:

Fossil fuel donations at a glance - contributions by the highest GHG emitters within Australia



* FY2020 ranking in GHG emissions within Australia

We only know about many of these contributions because the companies have voluntarily disclosed them – in the case of Origin Energy, the Liberal Party and the National Party disclosed just a fraction of its total contributions.

Woodside's platinum platform with the major parties

Every year for the last ten years, Woodside has consistently declared political contributions of between \$235,000 and \$375,000 to the major parties. According to Woodside, these sums are largely in exchange for “platinum” memberships of political parties’ business forums, for which the Liberal and Labor Parties each charge \$110,000 a pop.

In 2017 Woodside appeared before a parliamentary committee and gave the Australian public a rare glimpse into what \$110,000 buys a company:⁵⁶

The Liberal corporate package:

- two places at numerous federal parliamentary briefings and boardroom policy forums;
- two places at the ‘Budget Night Dinner’ in Canberra; and
- two dinners with the prime minister.

The Labor corporate package:

- two policy briefing sessions;
- tickets to events with Labor leaders;
- four tickets to the federal Budget Reply Dinner;
- two tickets to a two-day conference with shadow federal ministers;
- five tickets to an “end of year drinks” event with the Leader of the Opposition
- tickets to “Boardroom events with Federal Shadow Ministers Australia-wide”.

We only know about Woodside’s contributions because it voluntarily declares them. Tickets to fundraising dinners and memberships are not counted as donations under our weak electoral laws, even though they serve exactly the same function: payment for access to politicians. Many more mining and fossil fuel companies are likely to be giving similar sums to the major parties, but choose not to make it public.

What fossil fuel companies say they do, and what they actually do

Fossil fuel giants know these big financial contributions raise a problem for their public image, but they don’t want to lose the political influence and access it gives them. Their solution is to contribute anyway, but claim they don’t.

Woodside

Woodside claims it “do[es] not donate to campaign funds for any political party, politician or candidate for public office in any country”,⁵⁷ despite having contributed millions to the campaign funds of the major political parties over the last ten years. Its contributions are classified as “membership fees” not donations, so while this statement is misleading, it’s not technically wrong.

BHP

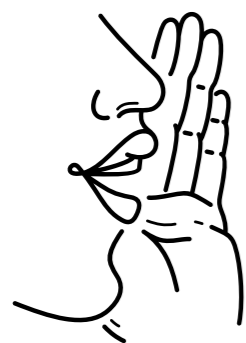
BHP claims “we do not contribute funds to any political party, politician, elected official or candidate for public office in any country”.⁵⁸ BHP gave \$2.82 million to the Liberal Party’s fundraising entity Cormack Foundation and \$205,000 to Labor fundraising entity Labor Holdings between FY2011-2020.

Rio Tinto

Rio Tinto claims “we do not involve ourselves in party political matters nor do we make any type of payments to political parties or political candidates”.⁵⁹ Rio Tinto gave \$2.62 million to the Liberal Party’s fundraising entity Cormack Foundation between FY2011-2020.

Financial contributions to political parties via industry peaks

While not currently making up a big proportion of the industry’s financial contributions, the peak organisation representing fossil fuel and mining companies, the Minerals Council of Australia (MCA), has declared about \$150,000 a year in donations to the major parties in the last two financial years. MCA openly admits these contributions are made in exchange for getting access to senior politicians,⁶⁰ adding a new string to their bow on top of their teams of lobbyists and huge election spends (see pages 30 and following).



Fossil fuels' lobbying

Fossil fuel use is responsible for 65% of the world's greenhouse gas emissions,⁶¹ and so it follows that fossil fuel companies have a strong political and financial incentive to undermine global efforts to reduce greenhouse gas emissions.⁶³ InfluenceMap, a UK-based independent think tank, has deemed fossil fuel giants BHP, Woodside and Chevron as both highly engaged in lobbying on climate policy, and obstructive to achieving the Paris Agreement's goal of ensuring global temperatures do not rise above 2 degrees Celsius.⁶³

In Australia, fossil fuel industry representatives have spent decades burrowing "deep inside the federal bureaucracy" to hijack the national government's policy on climate change.⁶⁴ In the Howard era they were coined the "Greenhouse Mafia", and whistleblowers described how lobbyists were called in to government departments to write cabinet submissions and ministerial briefings. They reportedly had direct access to Prime Minister Howard which they used to "fix outcomes" by informing on non-compliant ministers.⁶⁵

InfluenceMap records how multinational fossil fuel conglomerates like BHP, Rio Tinto and Glencore do much of their political dirty work – lobbying and election campaigning – through third party peak organisations. InfluenceMap analysed over 2,000 instances of lobbying between 2015 and 2020, tracing the influence of fossil fuel multinationals via 20 industry peaks. It concluded that these companies, while improving their public messaging on climate change, are delegating the most regressive lobbying activities to their peaks in an effort to derail Australia's international climate commitments.⁶⁶

MCA was singled out by InfluenceMap as the "single largest negative influence on Australian climate-related policy".⁶⁷ The report also detailed the role of oil and gas companies through peak organisation Australian Petroleum Producers and Exploration Association (APPEA), which primed the Australian government for a "gas-fired recovery" following the COVID-19 pandemic.⁶⁸ With the growth of the gas export industry, APPEA's political power has increased dramatically, reportedly putting it alongside the coal and iron ore industries.⁶⁹

The revolving door between the fossil fuel industry and politics

Recent, extensive research mapping the employment history of former politicians over the last fourteen years revealed that of the total 38 current and former politicians with employment links to the fossil fuel industry, 23 regulated the industry as ministers for resources, energy, industry and trade.⁷⁰ The majority of fossil fuel positions were taken up after retirement from the ministerial position, and employment was most likely to be as a lobbyist or director on a board.⁷¹

The list of all the people whose careers have included posts both to increase the profitability of the fossil fuel industry, and to advise and make decisions on how to regulate the industry, would fill this report. Instead, we provide just a snapshot of the problem by highlighting the connections between prime ministers' offices and the MCA alone:

Prime Minister	Staffer	Role at MCA
Scott Morrison	Chief of Staff, John Kunkel Senior Advisor, Brendan Pearson	Former Deputy CEO ⁷² Former CEO ⁷³
Malcolm Turnbull	Climate and energy advisor, Sid Marris	Director ⁷⁴
Tony Abbott (while Opposition Leader)	Senior Policy Advisor, Matthew Steen	General Manager ⁷⁵

Focusing on the careers of advisers to ministers with resources or environment portfolios reveals more deep links to the MCA:

- Greg Hunt of the federal Liberal Party, when Minister for the Environment, was advised by Patrick Gibbons, now a Director at MCA.⁷⁶
- Martin Ferguson of the federal Labor Party, when Minister for Resources employed James Sorahan, likewise now a director at MCA⁷⁶ (Ferguson is now, incidentally, Chair of APPEA's advisory board).⁷⁸

The current chair of MCA, Helen Coonan, was formerly a federal Liberal Party Cabinet Minister and Assistant Treasurer.

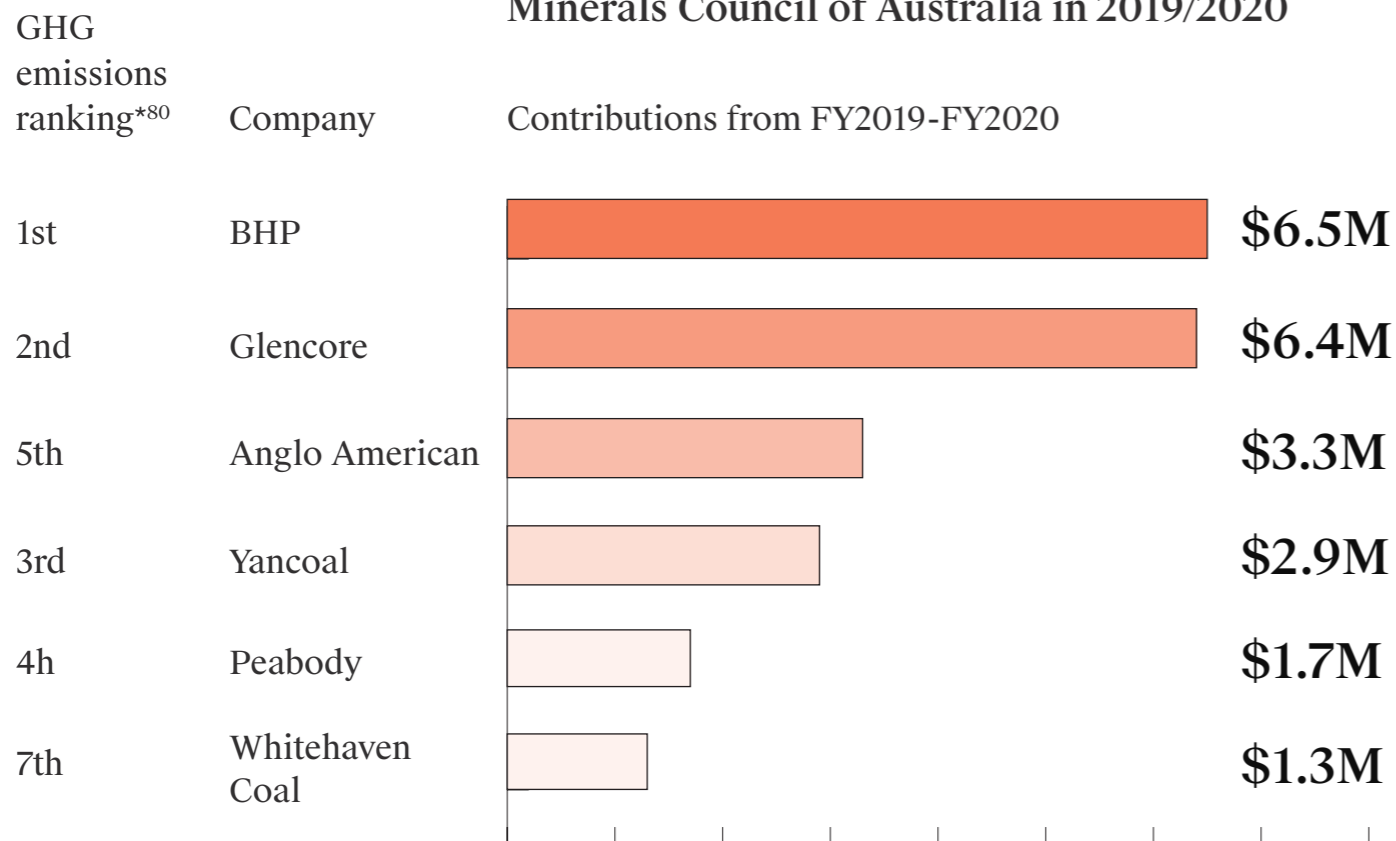
It is so normalised for our elected representatives to see themselves not as regulating the fossil fuels industry, but as representing their interests, that in Senator Matt Canavan's announcement that he was stepping aside as federal Minister for Resources in 2017, he stated: "It has been such an honour to represent the Australian mining sector over the last year".⁷⁹



Fossil fuels' attack campaigns and front groups

Fossil fuel and mining companies occasionally spend millions directly campaigning against reforms they don't like, but more typically they obscure their involvement by funding peaks like the MCA to do it. This strategy has had major success in manipulating policy outcomes.

Snapshot: The biggest fossil fuel funders of the Minerals Council of Australia in 2019/2020



*Ranking in GHG emissions from Australian operations in 2018

Between 2009 and 2012, the fossil fuel and mining industry launched three major campaigns against federal Labor: the first was directed against Prime Minister Kevin Rudd's emissions trading scheme; the second was against the mining tax; and the third was to block Julia Gillard's carbon price. Major lobby groups spent a total of \$300 million on advocacy between 2010 and 2014.⁸¹ Only the carbon price ever became law, although it was repealed shortly after by Tony Abbott.

The most damaging of the three campaigns was the second, the 2010 anti-mining tax campaign. The contest wasn't over climate change policy, but how much of the wealth generated by the mining boom should be retained by the Australian public, as the owners of the natural resources being extracted by multinational mining companies. It is "widely considered the benchmark case for corporate power in Australian democracy".⁸²

Case study:

Government policy proposal:

Industry tactic:

Industry campaign outcome:

Mining tax campaign

A new system of taxation that would see more wealth from the mining boom distributed to the Australian people.

Enormous lobbying effort; funding a front group to run a public attack campaign

Regarded the most successful corporate campaign in Australian history.

In 2010, Australia's resources tax system meant only a tiny proportion of the billions generated during the boom was flowing to the Australian community.⁸³ The Rudd government proposed moving to a new system of taxation to change this. Concerned about the global precedent this could set, three huge multinational mining companies, BHP, Rio Tinto and Xstrata, unleashed an intense multifaceted campaign to stop it.

A huge lobbying team was deployed with the likes of Geoff Walsh, BHP's chief lobbyist and former Labor national secretary and adviser to Prime Ministers Bob Hawke and Paul Keating.⁸⁴ The companies also threatened to pull out of the Australian market, causing the stock market to plummet and the value of the Australian dollar to fall.⁸⁵ But most notoriously, the industry funnelled \$25 million⁸⁶ into the MCA to play anti-tax ads over just 54 days, showing up to 37 times per day on free-to-air television.⁸⁷

The ads weren't successful in shifting public support for the mining tax; it remained stubbornly high with about 50% approving and 28% disapproving.⁸⁸ What the campaign did achieve, according to political researcher Lindy Edwards, was to undermine the public's confidence in the country's leadership and ultimately destabilise the Labor government.⁸⁹ It was an election year, and a nervous Labor Party removed Kevin Rudd as prime minister and installed Julia Gillard to broker a deal with the industry.⁹⁰

Within days of changing leadership, the Gillard Government capitulated to the fossil fuels and mining industry. As recounted by author Paul Cleary, "a raft of emails released under FOI shows that BHP was very much running the show. Its executives drafted the heads of agreement before emailing it to Wayne Swan's office for approval".⁹¹

The MCA's ad campaign was a wild success, whilst costing only a tiny fraction of the industry's profits.⁹² The experience has been instructive to Australian politicians and as noted by Grattan Institute "threats of a 'mining tax-style campaign' have become standard operating procedure for well-resourced groups fighting policy battles".⁹³



Image Credit: Sarah Collerton ABC News (above)

Image Credit: Natalie Board (right side)

In 2011 a new front group, the Australian Trade and Industry Alliance, reportedly backed by the MCA, APPEA, Coal Association and Chamber of Commerce and Industry, was set up to “build public opposition to the carbon tax so that it is either substantially modified or fails to pass the Parliament”.⁹⁴ It spent \$9.3m in electoral expenditure on radio, print and television ads, before disappearing. The campaign failed to stop the Clean Energy Bill 2011 (Cth) becoming law, but the reform was short-lived: the law was repealed in 2014 after Liberal Prime Minister Tony Abbott won the election.



Case study: Unravelling COAL21

In 2004, the Australian Coal Association, now part of the MCA, launched COAL21 – a fund for research into “clean coal” technologies like carbon capture and storage. The funding provided by coal producers was deducted from state mining royalty payments, meaning the fund was subsidised by taxpayers.⁹⁵

By 2018, the COAL21 initiative had raised more than \$300 million,⁹⁶ primarily through a voluntary levy. But a change to COAL21’s mandate in 2013 allowed it to use funds originally intended for researching low-emission coal technology to fund “coal promotion”, including

lobbying and advertising campaigns like the pre-2016 election “Coal. It’s an amazing thing.” television ad campaign.⁹⁷

In 2018, the electoral laws changed to significantly narrow the type of spending required to be disclosed, and Coal21, under its new brand, Low Emission Technology Australia, stopped disclosing expenditure. However, reporting by the ABC confirmed that the fund was planning a \$4-\$5 million media spend to make Australians “feel proud about coal” ahead of the 2019 election. television ad campaign.⁹⁹

Financial year	Coal21’s declared election spending ⁹⁸
2016	\$2.5m
2017	\$3.6m
2018	\$3.6m

On top of the multinational mining giants, in 2019 Clive Palmer single-handedly multiplied the industry’s total election spending using funds from his iron ore company, Mineralogy.

Case study: Clive Palmer’s record-breaking \$84 million election campaign

Clive Palmer is no stranger to prodigious election spending. Prior to his bid in the 2019 election, Mineralogy had already declared nearly \$14 million in political donations in just six years, almost all of it going to the Coalition and his former political party, the Palmer United Party.

Ahead of the 2019 election, Palmer took his political involvement to a whole new level, using Mineralogy to donate \$84 million to his own campaign. This donation represented 69% of the total declared donations to all political parties and candidates that year,¹⁰⁰ but made up just 0.05% of his estimated wealth.

The United Australia Party failed to win a single seat across the country, but Palmer did claim victory for the Coalition’s surprise win, attributing it to the millions

he spent on an anti-Bill Shorten ad blitz in the final weeks of the election.¹⁰¹ Federal Labor’s review of its 2019 election campaign indicated that Palmer’s huge expenditure reduced their “share of voice” (the percentage of total election ads by Labor) nationally to about 14%, down from roughly 41% in the 2016 election.¹⁰²

While Palmer denies it was the reason for his campaigning,¹⁰³ he did have a significant business incentive to see the Coalition win. At the time of the election, Palmer’s Waratah Coal had been seeking federal environmental approval for its proposed Alpha North mega coal mine in the Galilee Basin. His mine was a far safer bet under a Coalition government, given Labor’s shakiness on the adjacent Adani Mine.¹⁰⁴

Gambling

The real cost of doing business

Australians lose more money to gambling per capita than any other people on the planet, outstripping second-placed Hong Kong by 20%.¹⁰⁵ In FY2019, a total of \$25 billion was lost to gambling. Over half the losses went into pokies, the remainder split between casinos, online betting giants and bookies.¹⁰⁶ Recent estimates indicate 7.2%, or 1.3 million Australians are at risk of, or are currently experiencing gambling harm.¹⁰⁷

The gambling industry is highly predatory. Casinos have assessed the environmental minutiae that will maximise impulsive gambling in customers – from background sounds (e.g. of coins falling), lighting, music tempo, temperature and even odours.¹⁰⁸ Poker machines have also been carefully designed to make them as addictive as possible, including by giving the false impression of near wins, and by making losses look like wins.¹⁰⁹

The closer someone lives to poker machines, the more likely they are to be problem gamblers,¹¹⁰ and Australia has

76% of the world's poker machines outside of dedicated gaming venues (i.e. in pubs and clubs rather than casinos).¹¹¹ Known to be used as a form of stress relief, poker machine operators have distributed them most densely in low income areas.¹¹² Poker machines account for the highest rate of gambling addiction, the highest losses and the most gambling harm.¹¹³

Gambling doesn't just harm individuals – it impacts a person's community. Research conducted in 2017 identified that for every person experiencing problem gambling, on average six others (partners, children, colleagues) are adversely impacted.¹¹⁴

Ultimately, gambling costs lives. "Gambling disorder" is recognised in the Diagnostic and Statistical Manual of Mental Disorders – the DSM-V – and is associated with poor physical health,¹¹⁵ depression and anxiety.¹¹⁶ Gambling-related problems contribute to hundreds of suicide attempts every year in Australia.¹¹⁷



Image Credit: TK Kurikawa

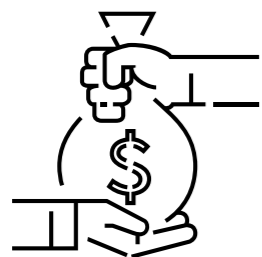
An overwhelming majority of Australians want to see tighter regulation of the gambling industry, including 71% support for making poker machines less addictive (only 13% of Australians oppose such measures), 63% support for maximum \$1 bets on pokies (versus 15% who oppose)¹¹⁸ and 77% want to see fewer pokies in the community.¹¹⁹ So why is it that efforts to introduce these regulations have failed?

At the state and territory level, there is a straight line between gambling losses and government revenue through tax revenue. Before the pandemic, nationwide government income from taxes on gambling amassed \$6.9 billion,¹²⁰ accounting for about 7% total revenue of the NSW, Queensland, Victorian and South Australian governments.¹²¹

At the federal level, where income from taxes is minimal, the gambling industry has amassed a huge amount of political power. Dr Charles Livingstone, Associate Professor at Monash University's School of Public Health and Preventive Medicine,

describes how the gaming industry has learned over time how to use its money to win influence:¹²²

“... they have a carrot and stick approach. The carrot is the money and the influence, and the stick is the marginal seats campaign. They give the money to both parties and spread it through branches and keep a large number of members from both sides on the payroll. It gives them a voice inside and allows them to get intelligence from inside.”



Gambling’s financial contributions to political parties

The financial contributions made directly to political parties

The gambling industry has contributed \$80 million to Australian politicians via more than 370 gambling-related companies and individuals over 22 years,¹²³ showing donations to be a key lever of influence in their aggressive resistance to regulation.

A former political staffer interviewed by academics from the University of Newcastle described the gambling industry’s strategy as follows:¹²⁴

● “So what they’ll do is they’ll find guys who have a voice in caucus and they buy...we call it mouthpiece money... there’s two or three guys or women in caucus who will argue on behalf of the club (in regards to gambling policy), right. They’ll also then go and find the next up-and-coming heroes who might become the next Premier; he might be a guy on the rise, and they’ll start giving him money too.”



Image Credit: mbbirdy

Company	Gambling operations	Contributions to political parties from FY2011-FY2020 ¹²⁵
Crown Resorts	Largest casino operator in Australia	\$1.7m
Tabcorp	Operates pokies and lotteries in all states and territories but WA	\$1.6m
The Star Entertainment Group	Second largest casino operator in Australia	\$615,000
Federal Group	Casino operator	\$95,000
Tatts Group (prior to merging with Tabcorp)	Poker machine operator	\$94,000

Up until recently, Coles and Woolworths were also major gambling industry players and donors. Woolworths owned 12,000 pokie machines through its joint venture with Australian Leisure and Hospitality, earning it a revenue of \$1.1 billion in 2016.¹²⁶ Prior to Woolworths’ divestment from the industry in 2021, it declared \$467,000 in direct donations between FY2008 and FY2020. It contributed a further \$1 million to the major parties via their fundraising bodies.¹²⁷

Coles made \$185 million a year from its 3,000 odd poker machines via its business Spirits Hotels, before divesting from the gambling industry under public pressure in 2019.¹²⁸ Between FY2001 and FY2008, Coles declared \$1.6m in direct contributions to the major parties. Its former parent company Wesfarmers contributed another \$6.5m during the years it owned Coles, between FY2009-FY2018.



Image Credit:
Niels Versemann

Crown's political donations and links to organised crime

Crown Resorts (**Crown**) and the Packer family have been major political donors for decades. Crown has disclosed \$1.7m in contributions to both major parties since FY2011. On top of this, the mother of former Crown chairman James Packer, Roslyn Packer, was in FY2013 the largest personal donor in Australia, giving the lion's share of her total donation less than one month after NSW Cabinet signed off on the first stages of Crown's \$2.2 billion luxury casino in Barangaroo on Sydney's Harbour.¹²⁹ She has donated \$1.3 million in total to the Liberal Party since FY2013.

In 2019, an investigative report by The Age, The Sydney Morning Herald and 60 Minutes uncovered Crown's close relationship with an overseas organised crime syndicate which used Crown casinos to launder money.¹³⁰ In response, independent MP and staunch gambling control advocate Andrew Wilkie moved a motion in the House of Representatives to refer the matter to a joint parliamentary committee for investigation. The motion failed 127 votes to five. Those who supported the motion were, according to the Saturday Paper's Mike Secombe, the only MPs who had no relationship to Crown.¹³¹

Crown was later investigated at NSW's instigation by former Supreme Court Judge Patricia Bergin. On the basis of her report, which found it had facilitated money laundering through its Perth and Melbourne casinos, Crown was deemed unfit to hold a gambling licence and prevented from opening the Barangaroo casino.

Following Bergin's damning report, WA Liberal and Labor both announced they would no longer accept political donations from Crown, and federal Labor announced it was considering a ban. The federal Coalition parties were spared from making a decision when Crown announced it would voluntarily stop making political donations in March 2021.¹³²

Despite their consistent insistence that political donations do not buy influence, banning donations from Crown was at the very least a concession by the major parties that it was a bad look to be accepting donations from companies with links to organised crime.

Financial contributions to political parties via industry peaks

The gambling giants wield most of their power through industry peak organisations, the most powerful and infamous of which are the Australian Hotels Association (**AHA**) and ClubsNSW, which combined made \$16 million in political contributions between FY1999 and FY2020.¹³³

Among AHA's members are Tabcorp, FoxSports and Gaming Technologies Association, the peak body representing Australia's pokie machine suppliers. AHA markets itself as offering the following services to members:¹³⁴

- "Access, advocacy and influence: contribute and effectively influence the Federal legislative agenda".
- "Networking and engagement: provide key networking opportunities and access to key decision-makers".

AHA is also a big political donor. From FY2011-FY2020, the AHA's federal, state and territory branches donated a staggering \$7.5 million to Labor and the Liberal and National Parties. In the lead up to the 2019 federal election, AHA donated \$2.3 million, and the Victorian branch

alone, with its \$1.1 million in political donations, was the second largest political donor for FY2018.¹³⁵

Precisely who is funding AHA and by how much is unclear, as the industry peak does not make its annual reports publicly available and membership fees and subscriptions are not disclosable under electoral law. But from the size of the political donations made by the AHA, we can presume its members' contributions are substantial.

ClubsNSW, the peak for NSW's clubs, disclosed \$2.2 million in political donations between FY2011-FY2020. In FY2013, one of their most generous years of giving, it was in turn recipient of sizeable donations: \$644,000 from the AHA; \$912,000 from the Australian Casino Association and \$878,000 from Gaming Technologies Australia.

According to ClubsNSW's annual reports, the vast majority of its revenue – between \$17m and \$19m annually – comes straight from Keno lottery which it operates alongside Tabcorp in NSW. In FY2019 a further \$4.3m came in as membership subscriptions, and \$1.8m as sponsorship.¹³⁶

There is a clear correlation between political donations from the gambling industry peaks and policy debates on minimising gambling harm.¹³⁷ Grattan Institute's analysis of AHA and ClubsNSW's political donations showed a significant rise in the industry's political contributions in FY2011, coinciding with its campaign against then-Prime Minister Julia Gillard's proposal to introduce \$1-per-push betting limits and pre-commitment technology.¹³⁸

Also of note is Responsible Wagering Australia, the peak representing sports and racing wagering services like Ladbrokes and Bet365, which contributed \$290,000 directly to the major parties between FY2017 - FY2020.

Financial years 2013 through to 2014 were big years for clubs that ran poker machines. The major parties were reassessing their poker machine regulation policies in the lead up to a federal election after independent MP Andrew Wilkie had put it on the national agenda (see more detail on Wilkie's proposed \$1 betting limits below).

Liberal MP Kevin Andrews was responsible for developing the Coalition's pre-election position on reforms to "help problem gamblers". According to reporting in the Sydney Morning Herald, ClubsNSW donated \$20,000 to Menzies 200, a funding body that supported Andrews, while he was still formulating (albeit at a late stage) the Coalition's position.¹³⁹

ClubsNSW also made a \$20,000 donation to Menzies 200 the following year, reportedly just days after Andrews announced the Coalition's policy via a video made with and distributed by Clubs Australia (Clubs Australia shares a CEO with ClubsNSW).¹⁴⁰ The Coalition's policy, which included axing Labor's trial of mandatory gambling pre-commitments, was supported by ClubsNSW's CEO at the end of the video.¹⁴¹

Some months later, ClubsNSW contributed a further \$10,000 to Menzies 200 three months after a bill introduced by Andrews to repeal Labor's poker machine reforms passed federal Parliament.¹⁴²

When asked for comment by journalists, a ClubsNSW spokeswoman said the donations were given "for no particular purpose".¹⁴³ Kevin Andrews denied that the donation influenced his decisions relating to the development of the Coalition's policy on gambling harm, a suggestion he described as "wrong and offensive".¹⁴⁴

ClubsNSW's donations to a fundraising body supporting Kevin Andrews



Image Credit:
Mick Tsikas, AAP.



Gambling's lobbying

A search of the Federal Register of Lobbyists reveals Crown,¹⁴⁵ Tabcorp¹⁴⁶ and the AHA¹⁴⁷ all engage third party lobbying firms, but this is just the tip of the iceberg. ClubsNSW and Clubs Australia have permanent lobbyists on staff¹⁴⁸ and the capacity to scale up quickly to quash undesirable regulation. During the height of the fight against Andrew Wilkie's responsible gambling law reform, the gambling industry lobbyists had an "extraordinary presence" in Canberra, with delegations meeting MPs every day that federal Parliament sat.¹⁴⁹

Former NSW Liberal Party treasurer Michael Yabsley described to Fairfax media a relationship that wasn't overtly corrupt, but ruled by "function junkies" employing a more subtle "wink and nod" influence.¹⁵⁰ Yabsley pointed to the relationship between donations and access, and said the biggest donors are known as "outstanding citizens" and "strong supporters of the democratic process", and "AHA and the clubs would be rated as triple A, five-star outstanding citizens [by the parties]".¹⁵¹

The poor regulation of the gambling industry is also attributable to the sheer number of former politicians and their staff now working for gambling companies.

The connections made by the gambling industry are, much like the fossil fuel industry, far too numerous to record here. To give an indication, the following tables record only state and federal senior politicians and their chiefs-of-staff who either came to politics from a major gambling company or peak or worked for one afterwards, over the last fifteen years.

The revolving door between the gambling industry and politics

Australian Hotels Association

Person	Position	Role in government
Reba Meagher ¹⁵²	Contracted as a lobbyist of AHA (NSW)	Former Labor NSW Health Minister
Michael Photios (NSW) ¹⁵³	Contracted as a lobbyist by AHA	Former Liberal NSW Tourism Minister
David Elliott ¹⁵⁴	Former Deputy CEO of AHA (NSW)	Current Liberal NSW Minister for Veterans
John Whelan ¹⁵⁵	Current CEO of AHA (NSW)	Former Chief of Staff to NSW's Labor Minister for Gaming and Racing

Responsible Wagering Australia

Person	Position	Role in government
Nick Minchin ¹⁵⁶	Current Chair	Former federal Liberal Special Minister of State
Richard Colbeck ¹⁵⁷	Former Chair	Current federal Liberal Minister for Sport
Stephen Conroy ¹⁵⁸	Former CEO	Former federal Labor Senator

Racing Australia

Person	Position	Role in government
Barry O'Farrell ¹⁵⁹	Former CEO	Former NSW Premier
Peter McGauran ¹⁶⁰	Former CEO	Former federal National Party Cabinet Minister

Crown Resorts

Person	Position	Role in government
Peta Credlin ¹⁶¹	Former head of policy and business development of Packer's Consolidated Press Holdings, a majority shareholder of Crown; and board director of Crown Melbourne Limited	Former Chief of Staff to Prime Minister Tony Abbott
Mark Arbib ¹⁶²	Strategic Director of Packer's Consolidated Press Holdings	Former NSW Labor Minister
Karl Bitar ¹⁶³	Former executive vice president - corporate affairs at Crown	Former Labor National Secretary and Julia Gillard's campaign director in the 2010 federal electio
Helen Coonan ¹⁶⁴	Former board Director and Chair of Crown	Former federal Liberal Party Cabinet Minister



Gambling's attack campaigns and front groups

In 2018, \$5.8 billion was lost to gaming machines in NSW alone, with 70% of this going to the clubs.¹⁶⁵ As noted by Livingstone, “this amounts to a formidable war chest for the poker machine lobby”.¹⁶⁶

Case study:

Clubs Australia v pokies reform

Government policy proposal:

Introduce pre-commitment technology and \$1 bet limits on pokies to help problem gamblers limit how much they can lose.

Industry tactic:

Funding front groups to run a public attack campaign.

Industry's campaign outcome:

Successfully blocked the reforms.

In 2010, Labor leader Julia Gillard needed to secure the support of crossbencher Andrew Wilkie MP in order to form government. Wilkie's condition was that a Labor government introduce laws that would implement the recommendations from the Productivity Commission's 2010 review of gambling harm in Australia.¹⁶⁷ The recommendations included implementing pre-commitment technology to poker machines so gamblers had to set a cap for how much they could lose in a single day, and introducing a \$1 bet limit per push.

ClubsNSW partnered with casinos, the Australian Hotels Association, and major players such as pokies operator and Woolworths subsidiary ALH Ltd, to commence a campaign against the Wilkie-Gillard reforms.¹⁶⁸ The anti-reform campaign broadcast national advertising describing the reforms as “un-Australian”,¹⁶⁹ together with a highly effective marginal seats campaign targeting specific politicians proposing gambling reform.¹⁷⁰

It was reported that the campaign cost \$20 million, although this was disputed by Clubs Australia.¹⁷¹ During FY2011-2012, ClubsNSW reported electoral expenditure of \$4.4 million, most of which was spent on broadcasting.

In early 2012, Gillard announced Labor was dropping the mandatory pre-commitment system and \$1 bet limits. Wilkie consequently withdrew his support for the government.¹⁷²

● “[Politicians] are in absolute denial about the harm they do. They justify that poker machines provide jobs and I say, hang on a second, the Colombian drug lords provide jobs too.”¹⁸⁵

— Rob Kreshl Sr, a Tasmanian man with lived experience of addiction to poker machines.

Case study:

Pokies in Glenorchy, Tasmania

Opposition policy proposal:

To remove pokies from pubs and clubs in Tasmania.

Industry tactic:

Political donations to the supportive political party and funding front groups to run an election campaign.

Industry's campaign outcome:

Successfully stopped the ALP forming government and therefore blocked the reforms.

The Elwick Hotel in Hobart operates 30 gaming machines from 8am to 4am, seven days a week and in 2016, it was Tasmania's most lucrative “pokies pub”.¹⁷³ According to Treasury data leaked to Andrew Wilkie MP, gamblers lost an average of more than \$400 per machine per day. The average household income in Glenorchy in 2016 was just \$1,019 a week,¹⁷⁴ well below the national average.¹⁷⁵ The loss was significant for the whole community – when calling for pokies across the local council to be removed, City of Glenorchy pointed to the \$2m a month they drained from the local economy.¹⁷⁶

The Elwick is owned by Vantage Hotels, a subsidiary of the Sydney-based Federal Group. The Federal Group also owns the poker machines in the Elwick and, for fifty years, has owned every single other poker machine across Tasmania. Its monopoly poker machine licence has made the Farrells, the family behind the company, among the richest people in Australia.¹⁷⁷

In the lead up to the 2018 state election, Labor leader Rebecca White pledged to remove poker machines from pubs should they win government, a direct affront to the Federal Group. Polling indicated up to 80% of Tasmanians approved of the policy,¹⁷⁸ and local community groups rallied in support to end gambling harm.¹⁷⁹

The Federal Group teamed up with the Tasmanian branch of the AHA, the Tasmanian Hospitality Association (THA), and other hospitality groups to donate over half a million dollars to the Tasmanian Liberal Party – nearly 90% of its declared donations that year¹⁸⁰ – to help it get reelected.¹⁸¹ Tasmanians were bombarded with an estimated \$5 million¹⁸² anti-Labor advertising campaign on TV, radio, newspapers, billboards and social media.¹⁸³ The Elwick, like pubs across Tasmania, erected a huge banner over the balcony that read “Save Our Jobs, Vote Liberal”.¹⁸⁴

Labor lost the election and quickly dropped its anti-pokie policy. By the next election, Labor had signed a secret memorandum of understanding with the THA promising to back the rights of pub and club owners to own and run the machines.

Tobacco

The real cost of doing business

Tobacco is the only consumer product in the world that when used as intended, kills two thirds of its users.¹⁸⁶ Over decades Australia's comprehensive tobacco control programs led to a dramatic decline in tobacco use in Australia, but it remains a big industry: almost 12% of Australians smoke every day.¹⁸⁷ It is still the leading cause of preventable death and disease in the country,¹⁸⁸ contributing to 20,000 deaths per year, more than alcohol and illicit drug use combined.¹⁸⁹

Like gambling, tobacco use discriminates: in 2019 the proportion of people living in the lowest socioeconomic areas who smoked daily was almost four times higher than the proportion of people living in the highest socioeconomic areas.¹⁹⁰ The prevalence of smoking in regional and remote parts of Australia is much higher than in the cities.¹⁹¹

Tobacco companies are also aggressively promoting new products like e-cigarettes and other vaping products, advertising them as a safe alternative to cigarettes



Vaping products are colourful and come in lolly-like flavours, making them especially attractive to young people.

Image Credit:
hurricanehank

despite evidence they contain toxic chemicals that can change DNA in much the same way as cancer-causing tobacco.¹⁹² While rates of smoking among teenagers have been very low for years,¹⁹³ the new lolly-flavoured, brightly packaged products are introducing a new generation to nicotine-addiction: vaping doubled among 14 to 17-year-olds and quadrupled among 25 to 29-year-olds between 2016 and 2019.¹⁹⁴

More than 6 in 10 people support government policies to reduce tobacco-related harm, and more again support restrictions on vaping.¹⁹⁵ Encouragingly,

and in contrast to its response to the gambling and fossil fuels industries, the Australian government has frequently been responsive to the public interest and regulated nicotine tightly as a scheduled poison.

But regulation is constantly under threat. In 2020, 28 Coalition MPs lobbied Health Minister Greg Hunt to reverse his decision to ban personal imports of nicotine from overseas.¹⁹⁶ Media reports give a glimpse of the huge lobbying effort funded by tobacco giant Philip Morris to bring about the backbench revolt,¹⁹⁷ and as detailed below, the effort is likely to continue.

Graham's story

The impact smoking has had on my life has been horrendous.

I was 13 when I had my first ever cigarette. I was crook as a dog, as they say – coughing unstoppably and feeling very nauseous and dizzy. But I wanted to be tough and cool, and especially I wanted to be like my mum and dad who both smoked. I persisted, and found it easier with each puff.

I finally felt so confident and tough, mostly I felt like a grown up. I felt like I was the Marlboro man; Paul Hogan with his Winfield cigarettes.

After years of smoking, I ended up with tongue cancer. The tumour on the base of my tongue was too large to remove by surgery so I had to undergo 35 daily doses of radiation. I was on my own, and every day I had to take a bus, two trams and walk to the hospital to get treatment that left me really sick, but I had no choice. The radiation left me with major burns to the outside and inside of my neck and for a month I was fed by a tube inserted through my nose into my stomach. On top of all this I had to undergo three very heavy doses of chemo, which also made me feel very ill.

I've been left with chronic obstructive pulmonary disease, an irreparable lung disease that obstructs airflow to the lungs. I become severely breathless from doing simple things in life like walking, shopping, cleaning and even making love.

Smoking was everywhere growing up – on TV, at the movies, even my local doctor was a smoker with an ashtray on his desk. Everyone I looked up to smoked.

Now I see people taking up flavoured nicotine vaping, which is just another form of smoking. With cigarettes you had 2 flavours: regular and menthol. But these vaping mixes come in different flavours to try and make vaping even more pleasurable. Cigarettes were bad enough, and in my opinion whether breathing any kind of smoke or vapour, the end result is the same.



I want to tell kids today that little was known about the side effects of inhaling smoke when I took it up, but today it is widely known that smoking and vaping will kill you. What you are breathing in is toxic. You are not immune to it, and before you know it will get you.

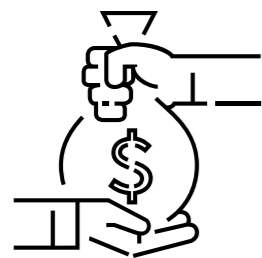
● “I liken the tobacco industry to your illegal drug dealers who peddle their wares to the weak and vulnerable public for a profit, knowing it's going to get them addicted and eventually kill them.”

For as long as tobacco remains legal, the companies say it's okay to market – but I'd love to see a survey of how many big tobacco executives actually smoke.

And because money equals power, big tobacco companies make big donations which gives them influence in political decisions. But normal ordinary people have no say in what happens in politics.

It sickens me thinking how people with power work like that. We know tobacco starts to kill people from their very first cigarette. Accepting money from Big Tobacco is riding on people's death.

Image of
Graham Scown



Tobacco's financial contributions to political parties

The financial contributions made directly to political parties

The global tobacco industry is primarily made up of five companies that collectively control about 90% of the world's cigarette market.¹⁹⁸ The top two of those – Philip Morris and British American Tobacco – are major political donors in Australia.

Philip Morris donated \$2.3m directly to political parties between FY1999 to FY2020. Its largest donations were made to Coalition parties in FY2009 and FY2010, which coincides with the Labor Party's proposal (1 September 2009) and announcement (29 April 2010) to introduce plain packaging for tobacco products.¹⁹⁹ British American Tobacco had been an even bigger political donor,

Financial contributions to political parties via industry peaks

Lacking avenues to fund the major parties, the tobacco industry has forged a new political strategy through funding the Liberal Democrats, a minor party. Tobacco industry-funded front group Alliance of Australian Retailers (AAR) gave the Liberal Democrats \$90,000, their second

giving almost \$2.1 million (primarily to the Coalition) between FY1999 and FY2011.

In February 2004, the then leader of federal Labor opposition Mark Latham, announced that the party would no longer accept donations from tobacco companies. Nearly a decade later, opposition leader Tony Abbott announced that the Liberal Party would follow suit. However Philip Morris has continued to give large sums to the Coalition Government via the National Party, totalling \$135,000 between FY2018 - FY2020.²⁰⁰

biggest donation, in the month before the 2016 federal election. Philip Morris also gave the Liberal Democrats an additional \$20,000 separately. In 2016 pro-tobacco and pro-vaping candidate David Leyonhjem was re-elected as Senator for NSW.



Image Credit:
Internet Archive



Tobacco's lobbying

Globally, the efforts of the tobacco industry to subvert governments' attempts to combat the tobacco epidemic are so notorious that they are the subject of a convention. The World Health Organisation's Framework Convention on Tobacco Control (**Convention on Tobacco Control**), to which Australia is a party, requires public officials to protect public health policies from the commercial interests of the tobacco industry. The implementation guidelines to the Convention note that there is a "fundamental and irreconcilable conflict between the tobacco industry's interests and public health interests".²⁰¹ Recognising this, the Australian Department of Health's guidance note limits public officials' interactions with the tobacco industry to only "what is necessary for public officials or agencies to enact effective tobacco control measures".²⁰²

But the treaty and guidelines are often ignored. The tobacco giants spend huge sums putting public pressure on the Australian Government to get outcomes that maximise their profits and ultimately kill their users. Verity Firth recounted her experience of the industry when she was a NSW Labor Minister:²⁰³

● "the tobacco industry were actively lobbying against legislation that they saw as counter to their interests... They were really active in lobbying not just me as the minister, but taking backbenchers out to lunch, visiting people in their electorate offices, basically trying to stir a backbench revolt against public health legislation. I was definitely getting lobbied by my colleagues as a result of it."

Historically, the tobacco industry has lobbied hard to block health warnings on tobacco packaging, bans on smoking in indoor public places and increases in tobacco taxation.²⁰⁴ Currently, the major tobacco companies are deploying their teams of lobbyists to pressure the federal Government to overturn restrictions on nicotine

Case study:

Government policy proposal:

Industry tactic:

Industry's campaign outcome:

Big tobacco's push for nicotine vaping

Ban personal imports of e-cigarettes and liquid nicotine for vaping.

Fund front groups and lobbyists to pressure the government.

Campaign was partially successful: it scuppered a proposed ban on personal nicotine imports from overseas though failed in its ultimate goal for nicotine e-cigarettes to be legally sold without a prescription and in all retail outlets such as vape shops, supermarkets, service stations, newsagents and convenience stores.

In recent years Philip Morris has rebranded itself as a "selfcare wellness" company and has committed to becoming "smoke-free" by 2025.²⁰⁵ But the devil is in the detail: Philip Morris claims it is going smoke free, but not tobacco and nicotine free.²⁰⁶ It has invested \$4.5 billion into developing a new "tobacco heating" device, the IQOS, which it claims produces aerosol rather than smoke.²⁰⁷ Its parent company has also bought a 35% share in Juul, a US vaping heavyweight.²⁰⁸ It describes these products as "medicine" that can help people quit smoking.²⁰⁹

To prove e-cigarettes, vaping and Philip Morris are part of the solution, in 2017 it invested US\$1 billion into its Foundation for a Smoke Free World for research into "harm-reducing smoking alternatives". This tactic comes straight from the tobacco industry playbook: funding pseudo-scientific research to create confusion and discredit medical advice since health concerns emerged in the 1950s.²¹⁰ In 2006, a US federal court found that Philip Morris had deliberately covered up the health risks associated with smoking and marketed their products to children.²¹¹

With the IQOS and vaping both being so new, the long-term health implications are still not fully known. However early independent health research indicates products like the IQOS are only marginally less harmful than smoking;²¹² that vaping nicotine is highly addictive and increases the risk of nicotine poisoning,²¹³ lung disease,²¹⁴ heart disease²¹⁵ and may cause cancer.²¹⁶ Nicotine also harms brain development in adolescents,²¹⁷ which is of particular concern as vaping rates among teenagers skyrocket.²¹⁸

As Executive Director of Australian Council on Smoking and Health Maurice Swanson stated, "Philip Morris is simply diversifying its range of nicotine products to ensure continuing addiction and to maintain its profitability".²¹⁹

In 2018/2019, the company was in the midst of a significant push to grow global sales of its IQOS device at the same time as the Australian government was considering a ban on personal imports of e-cigarettes and nicotine vaping products. Over this period, Philip Morris sent meeting requests and pro-vaping letters to Prime Minister Scott Morrison and Health Minister Greg Hunt, among others.²²⁰

Reporting by the Australian Financial Review revealed that in 2019 Philip Morris secretly funnelled hundreds of thousands of dollars to the Australian Retailers Association (ARA) via a New York-based PR firm Burson Cohn & Wolfe to run a pro-vaping campaign.²²¹ Before cancelling the contract,²²² the ARA used the money to establish a new lobbying arm, Australian Retail Vaping Industry Association, which partnered with Legalise Vaping Australia of the Australian Taxpayers Alliance, which is funded by the vaping industry and has links to British American Tobacco.²²³

Together, they targeted backbenchers to pressure the government to support a Senate Inquiry into the role of e-cigarettes in “tobacco harm reduction”.²²⁴ The campaign was successful: 28 responded by signing a letter to Minister Hunt asking him to delay the liquid nicotine import ban and commit to further consultation.²²⁵ Legalise Vaping Australia posted a smiling photo with Liberal Senator Hollie Hughes, with the caption “Celebrating with Hollie Hughes who was an INTEGRAL FIGURE in helping us delay the vaping ban.”²²⁶

Tobacco companies have a long history of making smoking seem healthy, like this ad showing doctors smoking in 1940.

Image Credit: Stanford University, Research into the Impact of Tobacco Advertising



A Senate committee was established and Hughes was appointed chair. The night before Nationals Senator Matt Canavan moved to establish the inquiry, former National Party director and British American Tobacco lobbyist Michael Kauter posted a smiling photo of himself having a celebratory drink with Hughes, with the comment “Oh we do love you @senator_hollie”.²²⁷

In the Senate Committee’s report, Hughes broke ranks with her Liberal colleagues and joined Canavan in calling for the legalisation of nicotine vaping products.²²⁸ The government proceeded with the ban on all retail sales in Australia, aside from pharmacies with a prescription anyway, which took effect on 1 October 2021.

Senator Hughes may well be genuine in her pro-vaping stance, but her close relationship with tobacco lobbyists raises serious questions. The Department of Health’s guidelines to decision-makers, which builds on the Convention on Tobacco Control, states that politicians should not attend social functions with tobacco company representatives, and that meetings should be reported, with at least two officials present, to protect against “vested interests” manipulating healthcare policies.²²⁹

Similarly Senator Canavan’s role should be closely interrogated in the context of the \$55,000 donation Philip Morris made to the National Party just months ahead of his motion to initiate the Senate inquiry.

The revolving door between the tobacco industry and politics

Globally it’s common for the tobacco industry to employ former politicians, staffers and senior public servants to lobby on their behalf to suppress progressive reform.²³⁰

In Australia, a notorious example of this was the appointment of Chris Argent, former senior advisor to various South Australian state ministers, as Director of Corporate Affairs Australia/NZ of Philip Morris International.²³¹ Leaked emails revealed that Argent directed much of the plain packaging campaign, including setting up and running AAR.²³² To do so, Argent worked with Jason Aldworth, former Victorian Liberal Party Vice-President.

According to John Safran’s 2021 exposé on Philip Morris’ political push to legalise vaping and its product IQOS, the current “puppetmaster” is Matt Stafford, President of the Asia-Pacific region for multinational lobbying firm Burson Cohn & Wolfe. Stafford was formerly cabinet secretary under Tony Abbott,²³³ a role in which he would have attended and run meetings of cabinet ministers.

On top of this, from the federal register of lobbyists, we know during the pro-vaping campaign British American Tobacco contracted former National Party director Michael Kauter and former advisor to Labor Minister Simon Crean, Chris Fry.²³⁴ During the same campaign period, Imperial Tobacco engaged Cornerstone Group Australia in 2020, which is co-chaired by Simon Crean and former Liberal Minister Craig Laundy.



Tobacco's attack campaigns and front groups

The tobacco industry is no stranger to spending millions opposing life-saving regulation in the lead up to elections.

Case study:

The campaign against plain-packaging laws

Government policy proposal:

Require all tobacco products to be contained in unappealing dark brown packaging.

Industry tactic:

Funding a front group and spending millions in a public attack campaign.

Industry's campaign outcome:

Campaign failed.

In April 2010, the Rudd Government announced a world-first plan to significantly restrict how cigarette and tobacco products could be packaged to make them less appealing to consumers. Within the three years after the law's introduction, plain packaging accounted for about a quarter of the decline in smoking prevalence, or 100,000 fewer smokers.²³⁵

The tobacco industry "went into overdrive" when the proposal was announced,²³⁶ launching a multifaceted campaign involving legal challenges, a huge lobbying effort and a multi-million dollar public campaign.

When Philip Morris hired PR firm The Civic Group to help it launch the blandly-named Alliance of Australian Retailers,²³⁷ it was following a well-trodden path – the World Health Organisation has recognised astro-turfing as a common industry tactic for resisting effective tobacco control.²³⁸ AAR presented itself as a grassroots alliance of small retailers,²³⁹ but its entire \$9.16m federal election spend was accounted for, to the dollar, by donations from Philip Morris, Imperial Tobacco and British American Tobacco.

One of Alliance of Australian Retailers' anti-plain packaging ads.

Image credit: BMJ Journal



Donor	Amount given to AAR in its first year of operation
British American Tobacco	3,688,824
Philip Morris	3,650,544
Imperial Tobacco	1,825,272
Total	9,164,640

On top of AAR's spending, Imperial Tobacco spent \$4.3m and Philip Morris spent \$490,000 on TV ads featuring concerned retailers, claiming "it won't work so why do it?" and "good policy requires more than good intentions". The AAR's strategy involved targeting a wide audience by spending on prime time advertising spots during the 2010 AFL and NRL finals season.²⁴⁰ Leaked campaign documents showed the ultimate strategy was to "[make] targeted decision makers believe that... the campaign will keep going and keep damaging their political standing until they change their position".²⁴¹

Ultimately the campaign was a failure. The Coalition joined Labor to pass the *Tobacco Plain Packaging Act 2011* (Cth) on 12 December 2011, making Australia the first country in the world to require tobacco products to be sold in plain packaging.

More recently, Philip Morris has been publicly promoting vaping as a health response. It is now against the law to advertise tobacco products in Australia,²⁴² but the company has circumvented the laws by sponsoring articles designed to look like science features in NewsCorp's national paper *The Australian*, arguing that the best way to stop people smoking was to get them vaping.²⁴³ According to both NewsCorp and Philip Morris, the articles were permitted under law because they constitute permitted political speech. To quote NewsCorp, the articles are part of "a campaign presented by Philip Morris to create awareness about current government regulations".²⁴⁴

Conclusion

Australians want to see their government take stronger action on climate to protect the planet for future generations. They want to see a decrease in the number of pokies in their community, and laws to stop their children becoming addicted to nicotine vaping. But consistently their wishes to protect their communities and planet are being overridden by the industries which hold so much of the power.

Corporate influence in our politics is distorting our democratic processes. We need to hit reset on our democracy and reform our laws to ensure our politicians respond to voters, not vested corporate interests.

That's why thousands of people are joining the #OurDemocracy campaign. This movement is building momentum behind the Framework for a Fair Democracy, which outlines a series of common sense, comprehensive reforms to break the cycle of corporate influence. The #OurDemocracy campaign is asking politicians to support and action all of them, to make our democracy work for all Australians.

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